

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

KATHERINE L. MOTLEY,

Plaintiff

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.

Case No. 4:05-cv-00036

ORDER

By: **Jackson L. Kiser**
Senior United States District Judge

On July 6, 2005, this Court entered an *Order* [7] referring this case to the Honorable B. Waugh Crigler, United States Magistrate Judge, for proposed findings of fact and recommended disposition. Magistrate Judge Crigler filed his *Report and Recommendation* [19] on January 10, 2006. After reviewing the record in this case, and because no objections to Magistrate Judge Crigler's *Report and Recommendation* were filed within ten (10) days of its service upon the parties, this Court adopts Magistrate Judge Crigler's *Report* in its entirety. Accordingly, it is this day **ADJUDGED** and **ORDERED** as follows:

1. The *Report and Recommendation* of the United States Magistrate Judge, filed January 10, 2006, shall be, and hereby is, **ADOPTED** in its entirety.
2. For the reasons stated in Magistrate Judge Crigler's *Report*, this case is **REMANDED** to the Commissioner for further proceedings at the final level of the sequential evaluation, and this action is **DISMISSED** from the docket of this Court.

3. The clerk is directed to strike this case from the active docket of this Court and to send certified copies of this *Order* to all counsel of record and to Magistrate Judge Crigler.

ENTERED this 3rd day of February, 2006.

s/Jackson L. Kiser
Senior United States District Judge